



**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**

Fiscal Note On: **HB 52** HLS 22RS 169  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

|  |         |                                  |
|--|---------|----------------------------------|
| <b>Date:</b> April 11, 2022  | 9:03 AM | <b>Author:</b> HOLLIS            |
| <b>Dept./Agy.:</b> Corrections   |         | <b>Analyst:</b> Rebecca Robinson |
| <b>Subject:</b> Crime of unwarranted video surveillance of res. property |         |                                  |

CRIME EG INCREASE GF EX See Note Page 1 of 1  
 Creates the crime of unwarranted video surveillance of residential property

Proposed legislation creates the crime of the unwarranted video surveillance of residential property and imposes penalties.

| <b>EXPENDITURES</b> | <b>2022-23</b> | <b>2023-24</b> | <b>2024-25</b> | <b>2025-26</b> | <b>2026-27</b> | <b>5 -YEAR TOTAL</b> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd.      | INCREASE       | INCREASE       | INCREASE       | INCREASE       | INCREASE       |                      |
| Agy. Self-Gen.      | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| Ded./Other          | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| Federal Funds       | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| Local Funds         | INCREASE       | INCREASE       | INCREASE       | INCREASE       | INCREASE       |                      |
| <b>Annual Total</b> |                |                |                |                |                |                      |

  

| <b>REVENUES</b>     | <b>2022-23</b> | <b>2023-24</b> | <b>2024-25</b> | <b>2025-26</b> | <b>2026-27</b> | <b>5 -YEAR TOTAL</b> |
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| Federal Funds       | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| Local Funds         | INCREASE       | INCREASE       | INCREASE       | INCREASE       | INCREASE       |                      |
| <b>Annual Total</b> |                |                |                |                |                |                      |

**EXPENDITURE EXPLANATION**

There will be an increase in the expenditures of DPS&C to the extent a person is convicted of the unwarranted video surveillance of residential property on a third or subsequent conviction, and is sentenced to imprisonment at hard labor for not more than 1 year (a felony). The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many individuals will be convicted of the crime. However, any offender sentenced to the custody of DPS&C increases SGF expenditures by \$26.39 per day per offender in adult local housing and \$83.23 per day per offender in a state facility. Any offender convicted of these crimes would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$30,379 annually (\$83.23 per day per offender x 365 days) per offender in a state facility.

Any person convicted of the crime of unwarranted video surveillance of residential property against any child under the age of 17, shall be imprisoned at hard labor for not less than 2 years nor more than 10 years. Any person convicted of this offense would cost DPS&C between \$19,265 annually per offender in a adult local housing or \$60,758 annually per offender in a state facility (for a 2 year sentence) and \$96,324 annually per offender in adult local housing or \$303,790 annually per offender in a state facility (for the maximum 10 year sentence).

There will be an increase in local expenditures to the extent a person is convicted on a second offense of the unwarranted video surveillance of residential property and imprisoned for not more than 6 months (a misdemeanor); or sentenced to imprisonment without hard labor on a third or subsequent offense (also a misdemeanor). The expenditure increase will depend on the number of persons convicted, the minimum sentence an offender serves, and the cost per day for a local law enforcement agency to incarcerate an offender.

**REVENUE EXPLANATION**

There may be an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of this new crime. The maximum fine is \$10,000 and the potential revenue will accrue to the local government entities.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer